

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
THIRTIETH REGION**

UNITED KISER SERVICES, LLC

and

**CONSTRUCTION AND GENERAL LABORERS UNION,
LOCAL 1329**

**Case Nos. 30-CA-18129
30-CB-05352**

and

**NORTHERN WISCONSIN REGIONAL COUNCIL OF
CARPENTERS**

**RESPONDENT UNION, CONSTRUCTION AND GENERAL LABORERS' UNION,
LOCAL 1329's MOTION TO ADJOURN HEARING**

Respondent Union, Construction and General Laborers' Union Local 1329 ("Local 1329"), through counsel, moves the Board to adjourn the hearing set to begin on June 9, 2009 for one day, or to a different date convenient to the Board. This request is made because counsel for Local 1329 is scheduled for oral argument in the Michigan Court of Appeals on June 9, 2009, and counsel's request to reschedule the oral argument has been denied.

In support of the motion, Local 1329 states:

1. This matter is set for hearing beginning on June 9, 2009.
2. After the hearing date was set, counsel for Local 1329, received notice of oral argument in the case of Miller-Davis Co. v. Ahrens Construction, Inc.; Case Number: 284307.
3. Counsel moved to adjourn the oral argument by filing a written motion.
4. Counsel has now received an order denying the motion. **(Exhibit 1)**

5. Counsel is a sole practitioner who tried the Miller-Davis case and is responsible for handling the appeal.

6. Counsel and Local 1329 request that the present hearing be moved back one day, and that the hearing start on June 10, 2009.

7. In the alternative, and to make sure that the hearing can be completed in a single week of hearing dates, counsel requests that the hearing be rescheduled to a time convenient for the Board.

8. Counsel for Local 1329 previously stipulated to the request of other counsel for an adjournment of the original hearing date.

9. Counsel has taken all available steps to reconcile the scheduling conflict for June 9, 2009, and requests that this matter be adjourned in order to allow counsel to represent the interests of his respective clients.

WHEREFORE, Local 1329 requests the Board to adjourn the hearing set to begin on June 9, 2009.

Date: May 8, 2009

Respectfully submitted,

SCOTT GRAHAM PLLC

By Scott

Scott Graham

Attorney for Local 1329

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Court of Appeals, State of Michigan

ORDER

Miller-Davis Co v Ahrens Construction Inc

Docket No. 284037

LC No. 05-000199 CK

Kathleen Jansen
Presiding Judge

Joel P. Hoekstra

Jane E. Markey
Judges

The Court orders that the motion to adjourn is DENIED.



Presiding Judge



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 28 2009

Date


Chief Clerk

EXHIBIT 1

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CARPENTERS**

CERTIFICATE OF SERVICE

On May 8, 2009, Elizabeth A. Smeal, served a copy of Construction and General Laborers' Union, Local 1329's Motion to Adjourn Hearing and Certificate of Service by placing said documents in an envelope properly addressed as stated below:

Mr. Lester A. Heltzer
National Labor Relations Board
Executive Secretary
1099 14th Street, N.W.
Washington, D.C. 20570-0001
Via: United States First Class Mail
(Original and 3 Copies)

Mr. Ronald Meisburg
General Counsel
National Labor Relations Board
1099 14th Street, N.W.
Washington, D.C. 20570-0001
Via: United States First Class Mail

Irving E. Gottschalk, Regional Director
National Labor Relations Board / Region 30
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Andrew S. Gollin
Counsel for the General Counsel's Office
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Mr. Joseph Gallino
Construction & General Laborers Union
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Mr. Marty Cowie
United Kiser Services, LLC
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Norway, Michigan 49870
Via: United States First Class Mail

Date: May 8, 2009


Elizabeth A. Smeal